



HW

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Vogels et al.

Serial No.: 10/783,510

Filed: February 20, 2004

For: MEANS AND METHODS FOR
FIBROBLAST-LIKE OR MACROPHAGE-
LIKE CELL TRANSDUCTION

Confirmation No.: 2693

Examiner: To be assigned

Group Art Unit: 1636

Attorney Docket No.: 2578-3982.3US

CERTIFICATE OF MAILING

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail on the date of deposit shown below with sufficient postage and in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

February 1, 2006
Date


Signature

Aubry Blackburn
Name (Type/Print)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO/SB/08 be considered by the Examiner and made of record. Copies of foreign patent documents and non-patent literature are enclosed pursuant to 37 C.F.R. § 1.98(a)(2).

Foreign Patent Documents

<u>Document No.</u>	<u>Publication Date</u>	<u>Patentee</u>
EP 99201545.3	05-17-1999	Introgene B.V.
EP 0 978 566 A2	02-09-2000	Introgene B.V.
WO 96/26281	08-29-1996	Genvec, Inc.
WO 98/32842	07-30-1998	Genetic Therapy, Inc.
WO 98/50053	11-12-1998	Genetic Therapy, Inc.
WO 00/52186	09-08-2000	Introgene B.V.

Other Documents

BASLER et al., "Sequence of the immunoregulatory early region 3 and flanking sequences of adenovirus type 35," Gene, 1996, pp. 249-254, Vol. 170.

FLOMENBERG et al., "Molecular Epidemiology of Adenovirus Type 35 Infections in Immunocompromised Hosts," The Journal of Infectious Diseases, June 1987, pp. 1127-1134, Vol. 155, No. 6.

FLOMENBERG et al., "Sequence and genetic Organization of Adenovirus Type 35 Early Region 3," Journal of Virology, November 1988, pp. 4431-4437, Vol. 62, No. 11.

GAHERY-SEGARD et al., "Immune response to recombinant Capsid Proteins of Adenovirus in Humans: Antifiber and Anti-Penton Base Antibodies Have a Synergistic Effect on Neutralizing Activity," Journal of Virology, March 1998, pp. 2388-2397, Vol. 72, No. 3.

KANG et al., "Molecular Cloning and Physical Mapping of the DNA of Human Adenovirus Type 35," Acta Microbiologica Hungarica, 1999, pp. 67-75, Vol. 36, No.1.

KRASNYKH et al., "Generation of Recombinant Adenovirus Vectors with modified Fibers for Altering Viral Tropism," Journal of Virology, October 1996, pp. 6839-3846, Vol. 70, No. 10.

Notice of Opposition to a European Patent, Patent No. 1054064, by Cell Genesys Inc., dated July 5, 2005.

ROSENFELD et al., "Adenovirus-Mediated Transfer of a recombinant alpha-1-Antitrypsin Gene to the Lung Epithelium in Vivo, Science, 19 April 1991, pp. 431-434, Vol. 252.

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ROY et al., "Circumvention of Immunity to the Adenovirus major Coat Protein Hexon,"
Journal of Virology, August 1998, pp. 6875-6879, Vol. 72, No. 8

STEVENSON et al., "Human Adenovirus Serotypes 3 and 5 Bind to Two Different
Cellular receptors via the Fiber Head Domain," Journal of Virology, May 1995, pp. 2850-2857,
Vol. 69, No. 5.

STRATFORD-PERRICAUDET et al., "Evaluation of the Transfer and Expression in
Mice of an Enzyme-Encoding Gene Using a Human Adenovirus Vector," Human Gene Therapy,
1990, pp. 241-256, Vol. 1.

In compliance with the duty to disclose information material to patentability pursuant to
37 C.F.R. § 1.56, Applicants hereby identify the following listed copending applications naming
a common inventor(s):

Attorney Docket No.: 2578-4038.3US
Serial No.: 10/790,562
Filed: 3/1/2004
Title: RECOMBINANT PROTEIN PRODUCTION IN A HUMAN CELL

Attorney Docket No.: 2578-4230.1US
Serial No.: 10/808,681
Filed: 3/25/2004
Title: MELANOMA ASSOCIATED PEPTIDE ANALOGUES AND
VACCINES AGAINST MELANOMA

Attorney Docket No.: 2578-3833.10US
Serial No.: 10/850,140
Filed: 5/20/2004
Title: PACKAGING SYSTEMS FOR HUMAN RECOMBINANT
ADENOVIRUS TO BE USED IN GENE THERAPY

Attorney Docket No.: 2578-4070.2US
Serial No.: 10/951,102
Filed: 9/27/2004
Title: SEROTYPES OF ADENOVIRUS AND USES THEREOF

Serial No.: 10/783,510

Attorney Docket No.: 2578-4231.1US
Serial No.: 11/018,669
Filed: 12/20/2004
Title: GENE DELIVERY VECTORS PROVIDED WITH A TISSUE
TROPISM FOR SMOOTH MUSCLE CELLS, AND/OR
ENDOTHELIAL CELLS

Attorney Docket No.: 2578-5447.1US
Serial No.: 11/039,767
Filed: 1/18/2005
Title: RECOMBINANT PRODUCTION OF MIXTURES OF
ANTIBODIES

Attorney Docket No.: 2578-6815US
Serial No.: 11/064,910
Filed: 2/24/2005
Title: MODIFIED ADENOVIRAL VECTORS FOR USE IN VACCINES
AND GENE THERAPY

Attorney Docket No.: 2578-6828US
Serial No.: 11/070,890
Filed: 3/2/2005
Title: RECOMBINANT PROTEIN PRODUCTION IN PERMANENT
AMNIOCYTIC CELLS THAT COMPRISE NUCLEIC ACID
ENCODING ADENOVIRUS E1A AND E1B PROTEINS

Attorney Docket No.: 2578-5006.2US
Serial No.: 11/083,590
Filed: 3/18/2005
Title: GENE DELIVERY VECTORS WITH CELL TYPE SPECIFICITY
FOR MESENCHYMAL STEM CELLS

Attorney Docket No.: 2578-6845US
Serial No.: 11/105,725
Filed: 4/14/2005
Title: NEW SETTINGS FOR RECOMBINANT ADENOVIRAL-BASED
VACCINES

Attorney Docket No.: 2578-6827US
Serial No.: 11/110,517
Filed: 4/20/2005
Title: VACCINES AGAINST WEST NILE VIRUS

Serial No.: 10/783,510

Attorney Docket No.: 2578-3955.2US
Serial No.: 11/134,674
Filed: 5/19/2005
Title: MEANS AND METHODS FOR NUCLEIC ACID DELIVERY
VEHICLE DESIGN AND NUCLEIC ACID TRANSFER

Attorney Docket No.: 2578-7188US
Serial No.: 11/140,418
Filed: 5/27/2005
Title: SEROTYPE OF ADENOVIRUS AND USES THEREOF

Attorney Docket No.: 2578-6876US
Serial No.: 11/146,332
Filed: 6/6/2005
Title: RECOMBINANT VIRUS PRODUCTION FOR THE
MANUFACTURING OF VACCINES

Attorney Docket No.: 2578-5148.1US
Serial No.: 11/165,697
Filed: 6/24/2005
Title: COMPLEMENTING CELL LINES

Attorney Docket No.: 2578-4123.3US
Serial No.: 11/207,626
Filed: 8/18/2005
Title: CHIMAERIC ADENOVIRUSES

Attorney Docket No.: 2578-7508US
Serial No.: 11/256,352
Filed: 10/21/2005
Title: PRODUCTION OF VACCINES

Attorney Docket No.: 2578-4626.1US
Serial No.: 11/271,368
Filed: 11/11/2005
Title: PRODUCTION OF VACCINES

Attorney Docket No.: 2578-7554US
Serial No.: 11/280,757
Filed: 11/15/2005
Title: RECOMBINANT EXPRESSION OF FACTOR VIII IN HUMAN
CELLS

Serial No.: 10/783,510

Attorney Docket No.: 2578-5592.1US
Serial No.: 11/329,196
Filed: 1/9/2006
Title: METHODS AND MEANS FOR ENHANCING SKIN
TRANSPLANTATION USING GENE DELIVERY VEHICLES
HAVING TROPISM FOR PRIMARY FIBROBLASTS, AS WELL
AS OTHER USES THEREOF (PRIMAIRE FIBROBLASTEN)

This Supplemental Information Disclosure Statement is believed to be filed before the mailing date of a first Office Action on the merits; therefore, no fee is due.

Respectfully submitted,



Allen C. Turner
Registration No. 33,041
Attorney for Applicants
TRASKBRITT, P.C.
P.O. Box 2550
Salt Lake City, Utah 84110-2550
Telephone: 801-532-1922

Date: February 1, 2006
ACT/alb

Enclosures: Form PTO/SB/08
Cited Documents

Document in ProLaw

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet	1	of	2
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Complete if Known

Application Number	10/783,510
Filing Date	February 20, 2004
First Named Inventor	Vogels et al.
Group Art Unit	1636
Examiner Name	To be assigned
Attorney Docket Number	2578-3982.3US

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		EP 99201545.3	05-17-1999	Introgene B.V.		
		EP 0 978 566 A2	02-09-2000	Introgene B.V.		
		WO 96/26281	08-29-1996	Genvec, Inc.		
		WO 98/32842	07-30-1998	Genetic Therapy, Inc.		
		WO 98/50053	11-12-1998	Genetic Therapy, Inc.		
		WO 00/52186	09-08-2000	Introgene B.V.		

**Examiner
Signature**

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.**

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 2 of 2

Complete if Known

Application Number	10/783,510
Filing Date	February 20, 2004
First Named Inventor	Vogels et al.
Group Art Unit	1636
Examiner Name	To be assigned
Attorney Docket Number	2578-3982 31JS

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		BASLER et al., "Sequence of the immunoregulatory early region 3 and flanking sequences of adenovirus type 35," Gene, 1996, pp. 249-254, Vol. 170.	
		FLOMENBERG et al., "Molecular Epidemiology of Adenovirus Type 35 Infections in Immunocompromised Hosts," The Journal of Infectious Diseases, June 1987, pp. 1127-1134, Vol. 155, No. 6.	
		FLOMENBERG et al., "Sequence and genetic Organization of Adenovirus Type 35 Early Region 3," Journal of Virology, November 1988, pp. 4431-4437, Vol. 62, No. 11.	
		GAHERY-SEGARD et al., "Immune response to recombinant Capsid Proteins of Adenovirus in Humans: Antifiber and Anti-Penton Base Antibodies Have a Synergistic Effect on Neutralizing Activity," Journal of Virology, March 1998, pp. 2388-2397, Vol. 72, No. 3.	
		KANG et al., "Molecular Cloning and Physical Mapping of the DNA of Human Adenovirus Type 35," Acta Microbiologica Hungarica, 1999, pp. 67-75, Vol. 36, No. 1.	
		KRASNYKH et al., "Generation of Recombinant Adenovirus Vectors with modified Fibers for Altering Viral Tropism," Journal of Virology, October 1996, pp. 6839-3846, Vol. 70, No. 10.	
		Notice of Opposition to a European Patent, Patent No. 1054064, by Cell Genesys Inc., dated July 5, 2005.	
		ROSENFELD et al., "Adenovirus-Mediated Transfer of a recombinant alpha-1-Antitrypsin Gene to the Lung Epithelium in Vivo, Science, 19 April 1991, pp. 431-434, Vol. 252.	
		ROY et al., "Circumvention of Immunity to the Adenovirus major Coat Protein Hexon," Journal of Virology, August 1998, pp. 6875-6879, Vol. 72, No. 8.	
		STEVENSON et al., "Human Adenovirus Serotypes 3 and 5 Bind to Two Different Cellular receptors via the Fiber Head Domain," Journal of Virology, May 1995, pp. 2850-2857, Vol. 69, No. 5.	
		STRATFORD-PERRICAUDET et al., "Evaluation of the Transfer and Expression in Mice of an Enzyme-Encoding Gene Using a Human Adenovirus Vector," Human Gene Therapy, 1990, pp. 241-256, Vol. 1.	

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